



December 14, 2023

VIA ECF

Honorable Kenneth M. Karas
United States District Judge
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

MEMO ENDORSED

Re: *Allen Degroat v. Instrument Laboratory Company*
Docket No.: 23-cv-07490 (KMK)

Dear Judge Karas:

This firm represents Plaintiff Allen Degroat, who brought the above-referenced matter against Defendant Instrumentation Laboratory Company for alleged violations of New York Labor Law § 191. Defendant filed a motion to dismiss the Complaint or to stay this action, as well as a related motion requesting that the Court take judicial notice of certain documents. D.E. 22-25. Plaintiff's opposition papers to Defendant's motions are currently due on December 22, 2023 and Defendant's reply papers are due on January 5, 2024. Plaintiff writes to request, with Defendant's consent, a thirty-one day extension of time to submit their opposition papers. Plaintiff seeks this extension for multiple reasons. Plaintiff's counsel is unexpectedly required to be out of the office during the period of December 18, 2023 through December 22, 2023 due to a loss of childcare for my young son. As a result, Plaintiff's counsel is losing the vast majority of the time allotted to preparing Plaintiff's opposition papers due to this change in the undersigned's schedule. Additionally, Plaintiff seeks this extension due to, and the duration of the extension sought is because of, Plaintiff's counsel's unusually active litigation schedule, including being engaged in opposing multiple dispositive motions and other substantive motion practice, preparations for and attending several mediations, and attending court appearances during the period of time provided for this opposition and during the same time period of this extension. Plaintiff's counsel's schedule is heavily encumbered for the next several weeks through at least the second week of January 2024.

As a result, Plaintiff requests, with Defendant's consent, an extension of time to submit his opposition to Defendant's motion from December 22, 2023 to January 22, 2024, and also requests a commensurate extension of time for Defendant to submit its reply papers from January 5, 2024 to February 13, 2024.¹ This is Plaintiff's first request for the relief sought herein.

¹ Defendant requested that their reply be scheduled for February 13, 2024 as its counsel has certain scheduling conflicts during the period of January 22, 2024 through February 5, 2024, including travel and mediations.

We thank the Court for its kind consideration of this request.

Respectfully submitted,

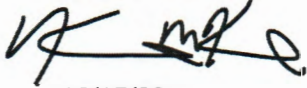


DAVID D. BARNHORN, ESQ.

C: All Counsel of Record *via* ECF

Granted.

So Ordered.



12/15/23